

**Senate Bill No. 946**

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Passed the Senate August 28, 2008

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*Secretary of the Senate*

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Passed the Assembly August 21, 2008

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 60641 of, and to add Chapter 6 (commencing with Section 99300) to Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

## LEGISLATIVE COUNSEL'S DIGEST

SB 946, Scott. Community College Early Assessment Pilot Program.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes those districts to provide instruction to students at community college campuses.

This bill would express legislative findings and declarations relating to the Early Assessment Program (EAP), a collaborative effort established by the California State University to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school. The bill would express legislative intent that the existing EAP be modified by expanding it to include the California Community Colleges. The bill would also express legislative intent that the existing EAP student notification system, as currently operated by agreement between CSU and the State Department of Education, be modified to include specified requirements.

This bill would authorize community college districts to use the California Standards Test (CST) and augmented CST to provide diagnostic advice to prospective community college students participating in the EAP. As authorized by specified law, the individual results of the CST and the augmented CST would be provided to the office of the Chancellor of the California Community Colleges, which would coordinate with community college districts that choose to voluntarily participate in the EAP. The bill would specify that certain provisions apply to those community college districts that choose to work directly with high

school pupils who took the CST and choose to offer assistance to these pupils in strengthening their college readiness skills.

The bill would require that the individual results of the CST and the augmented CST be released to, and in addition to any other purposes permit the use by, CSU to provide diagnostic advice to, or for the placement of prospective CSU students participating in the EAP. The bill would prohibit CSU from using the individual results of the CST and the augmented CST as a criterion for admission.

*The people of the State of California do enact as follows:*

SECTION 1. Section 60641 of the Education Code is amended to read:

60641. (a) The department shall ensure that school districts comply with each of the following requirements:

(1) The achievement test designated pursuant to Section 60642 and the standards-based achievement test provided for in Section 60642.5 are scheduled to be administered to all pupils during the period prescribed in subdivision (b) of Section 60640.

(2) The individual results of each pupil test administered pursuant to Section 60640 shall be reported, in writing, to the pupil's parent or guardian. The written report shall include a clear explanation of the purpose of the test, the pupil's score, and its intended use by the school district. This subdivision does not require teachers or other school district personnel to prepare individualized explanations of each pupil's test score.

(3) (A) The individual results of each pupil test administered pursuant to Section 60640 shall also be reported to the pupil's school and teachers. The school district shall include the pupil's test results in his or her pupil records. However, except as provided in this section, individual pupil test results may only be released with the permission of either the pupil's parent or guardian if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(B) Notwithstanding subparagraph (A), a pupil or his or her parent or guardian may authorize the release of individual pupil results to a postsecondary educational institution for the purpose of credit, placement, determination of readiness for college-level coursework, or admission.

(4) The districtwide, school-level, and grade-level results of the STAR Program in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting.

(b) The publisher designated pursuant to Section 60642 and the publisher of the standards-based achievement tests provided for in Section 60642.5 shall make the individual pupil, grade, school, school district, and state results available to the department pursuant to paragraph (9) of subdivision (a) of Section 60643 by August 8 of each year in which the achievement test is administered for those schools for which the last day of test administration, including makeup days, is on or before June 25. The department shall make the grade, school, school district, and state results available on the Internet by August 15 of each year in which the achievement test is administered for those schools for which the last day of test administration, including makeup days, is on or before June 25.

(c) The department shall take all reasonable steps to ensure that the results of the test for all pupils who take the test by June 25 are made available on the Internet by August 15, as set forth in subdivision (b).

(d) The department shall ensure that a California Standards Test that is augmented for the purpose of determining credit, placement, or readiness for college-level coursework of a pupil in a postsecondary educational institution inform a pupil in grade 11 that he or she may request that the results from that assessment be released to a postsecondary educational institution.

SEC. 2. Chapter 6 (commencing with Section 99300) is added to Part 65 of Division 14 of Title 3 of the Education Code, to read:

#### CHAPTER 6. THE EARLY ASSESSMENT PROGRAM

99300. (a) The Legislature finds and declares that in 2004, the California State University (CSU) established the Early Assessment Program (EAP), a collaborative effort among the State Board of

Education, the State Department of Education, and CSU, to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school. It is the intent of the Legislature that the office of the Chancellor of the California Community Colleges, the office of the Chancellor of the California State University, the State Board of Education, and the State Department of Education work together to modify the existing EAP to expand it to include the California Community Colleges (CCC) so that, beginning in the 2009–10 school year, high school juniors who are considering attending either system can take the EAP and receive information in the summer before their senior year concerning their preparation for college-level work at both CSU and CCC.

(b) It is also the intent of the Legislature that the existing EAP student notification system, as currently operated by agreement between CSU and the State Department of Education, be modified to do both of the following:

(1) Reassure pupils that they are eligible to attend a community college and that taking the EAP test has no bearing on their eligibility to attend a community college.

(2) Inform pupils of their readiness for college-level coursework in English or mathematics, or both, and recommend the next appropriate steps as they pertain to achieving success at a community college, similar to how CSU communicates with pupils who take the EAP test and are prospective CSU students.

(c) It is also the intent of the Legislature that the EAP be modified to include all of the following requirements:

(1) That the participating community college districts utilize the existing EAP secure data repository and clearinghouse for test score distribution of the California Standards Test (CST) and the augmented CST, as referenced in Section 60641.

(2) That the modified EAP not affect the statutory reporting requirements of the STAR Program, or increase the costs of either the STAR Program or the State Department of Education.

(3) That the modified EAP be titled the “Early Assessment Program.”

99301. (a) Notwithstanding subdivision (a) of Section 78213, the individual results of the California Standards Test (CST) and the augmented CST, as referenced in Section 60641, in addition to any other purposes may be used by community college districts

to provide diagnostic advice to, or for the placement of, prospective community college students participating in the EAP.

(b) (1) As authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, the individual results of the CST and the augmented CST, as referenced in Section 60641, shall be provided to the office of the Chancellor of the California Community Colleges.

(2) The office of the Chancellor of the California Community Colleges shall coordinate with community college districts that choose to voluntarily participate in the EAP as follows, and, to the extent possible, shall accomplish all of the following activities using existing resources:

(A) Encourage community college districts to choose to voluntarily participate in the EAP and notify them of the requirements of subdivision (c), including the requirements that the standards utilized by CSU to assess readiness for college-level English and mathematics courses, as expressed in the CST as augmented by CSU, shall also be used for the purposes of the EAP.

(B) Coordinate the progress of the program, provide technical assistance to participating community college districts pursuant to subdivision (c) as needed, identify additional reporting and program criteria as needed, and provide a report to the Legislature and Governor on or before February 15, 2015, on the implementation and results of the EAP for community college students.

(C) Provide access to the individual test results of the CST and the augmented CST, as referenced in Section 60641, to participating community college districts.

(c) For those community college districts that choose to work directly with high school pupils within their respective district boundaries who took the augmented CST, as referenced in Section 60641, and choose to offer assistance to these pupils in strengthening their college readiness skills, all of the following provisions apply:

(1) The individual results of the CST and the augmented CST, as referenced in Section 60641, shall be released by the office of the Chancellor of the California Community Colleges, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, to participating community college districts upon their request for this information and may

be used to provide diagnostic advice to prospective community college students participating in the EAP.

(2) Pursuant to subparagraph (A) of paragraph (2) of subdivision (b), the same standards utilized by CSU to assess readiness shall also be used for purposes of this section.

(3) The augmented CST as referenced in Section 60641, and currently utilized by CSU for purposes of early assessment, shall be used to assess the college readiness of pupils in the EAP.

(4) Participating community college districts are encouraged to consult with the Academic Senate for the California Community Colleges to work toward sequencing their precollegiate level courses and transfer-level courses in English and mathematics to the elementary and secondary education academic content standards adopted pursuant to Section 60605.

(5) Participating community college districts shall identify an EAP coordinator and shall coordinate with CSU campuses and schools offering instruction in kindergarten and any of grades 1 to 12, inclusive, in their respective district boundaries on EAP-related activities that assist pupils in making decisions that increase their college readiness skills and likelihood of pursuing a postsecondary education.

(6) In order to provide high school pupils with an indicator of their college readiness, a community college district participating in the EAP shall use individual test results provided to that college pursuant to paragraph (1) of, and subparagraph (C) of paragraph (2) of, subdivision (b) to provide diagnostic advice to prospective community college students participating in the EAP.

(7) The individual results of the augmented CST, as referenced in Section 60641 for purposes of the EAP, shall not be used by a community college as a criterion for admission.

(8) Participating community college districts shall utilize the existing infrastructure of academic opportunities, as developed by CSU, to provide additional preparation in grade 12 for prospective community college students participating in the EAP.

(d) Both of the following provisions apply to CSU:

(1) The individual results of the CST and the augmented CST, as referenced in Section 60641, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, shall be released to, and in addition to any other purposes

may be used by, CSU to provide diagnostic advice to, or for the placement of prospective CSU students participating in the EAP.

(2) The individual results of the augmented CST, as referenced in Section 60641 for purposes of the EAP, shall not be used by CSU as a criterion for admission.















Approved \_\_\_\_\_, 2008

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*Governor*